



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

125 /
120

In re Application of:

John VONEIFF, *et al.*

Examiner: Jason D. PRONE

Appln. No.: 10/091,173
formerly 031937.000006

Group Art Unit: 3724

Filed: March 6, 2002

Confirmation No. 1310

For: APPARATUS AND METHOD
FOR AUTOMATICALLY
PRODUCING TISSUE SLIDES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION
REGARDING ELECTION OF SPECIES

Sir:

Responsive to the Non-Final Office Action requesting an election of species ("Office Action") mailed on May 18, 2005, please consider the following responsive election. Applicants submit that this response is filed within the shortened statutory time period provided for reply without payment of extension of time fees. Accordingly, Applicants believe that no fees are required with this response. However, the Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-0206.

CONCLUSION

If the Examiner believes that the prosecution might be advanced by discussing the application with Applicants' representatives, in person or over the telephone, we would welcome the opportunity to do so.

1251
120

Applicants believe that no fee is required for the submission of this Response. However, in the event that the U.S. Patent and Trademark Office requires a fee to enter this Response or to maintain the present application pending, please charge such fee to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: August 18, 2005

By:



Thomas D. Bradshaw
Registration No. 51,492

Laurence H. Posorske, Ph.D.
Registration No. 34,698

HUNTON & WILLIAMS LLP
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109
Telephone: (202) 955-1500
Facsimile: (202) 778-2201